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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,451	12/05/2000	Hiroaki Kubo	15162/02830	8131
24367	7590	11/30/2004	EXAMINER	
SIDLEY AUSTIN BROWN & WOOD LLP 717 NORTH HARWOOD SUITE 3400 DALLAS, TX 75201			HENN, TIMOTHY J	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,451

Applicant(s)

KUBO ET AL.

Examiner

Timothy J Henn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7, 8 and 10 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/24/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendment to the title is acceptable and overcomes the previous objections.

Response to Arguments

2. Applicant's arguments with respect to claims 7, 8 and 10 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7, 8 and 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Hwang et al. (US 6,661,454) in view of Wakui (US 5,986,700).

[claim 7]

In regard to claim 7, note that Hwang et al. discloses a digital camera comprising: a plurality of mounting portions to which recording media can be mounted (Figure 4, Items 30 and 56) and a selector which selects one of said mounting portions to be accessed from among said plurality of mounting portions (Figure 4, Items 32; Column 57-65). However, Hwang lacks a mode setting member which is operated to set a mode from among a plurality of selection modes, in each of said plurality of selection

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modes the mounting portion to be accessed being selected from among the plurality of mounting portions and selecting a mounting portion in accordance with the selected mode.

Wakui discloses a digital camera with a plurality of mounting portions for memory cards with a record mode selection input in which the user is able to select (c. 4, ll. 12-16) from a usual record mode in which an image is recorded in one of the memory cards (c. 4, ll. 43-46) and a plural record mode in which an image is stored in all of the memory cards (c. 4, ll. 54-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a plural recording mode as taught by Wakui in the camera of Hwang to allow the user to set a plural recording mode to allow the user to easily record an image on multiple memory cards without the need for a "dubbing operation" (c. 1, ll. 23-57).

[claim 8]

In regard to claim 8, Wakui discloses a simultaneous plural recording mode in which all memory cards are selected as the card to be recorded to (c. 5, ll. 7-14). It is noted that since a single card (e.g. Item 41 in Figure 1) is selected "at all times" as the card to be recorded to in the simultaneous mode (along with the remaining cards), the simultaneous plural recording mode of Wakui meets the limitations of claim 8.

[claim 10]

In regard to claim 10, note that Wakui discloses a usual recording mode in which a single memory card is selected to store the image signal, however Wakui does not disclose how the memory card is selected. However, Hwang et al. discloses a digital

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camera wherein a mounting portion is selected from among said plurality of mounting portions as the mounting portion to be accessed based on an operation performed by means of an operating member (Column 5, Lines 61-65). In the combination of Hwang in view of Wakui, the memory card to store images in the usual recording mode would inherently be selected by the user inputs of Hwang when the plural recording mode is not selected.

Allowable Subject Matter

5. Claims 1-6 are allowed.

[claims 1-6]

6. In regard to claims 1-6, the prior art does not teach or fairly suggest a digital camera wherein a case where at least two recording media are mounted to mounting portions, a selector selects the mounting portion to which the recording medium was mounted first as the mounting portion to be accessed.

7. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

[claim 9]

8. In regard to claim 9, the prior art does not teach or fairly suggest a digital camera wherein the memory card selection modes in which the mounting portion in which a storing medium was first mounted is selected as the mounting portion to be accessed.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

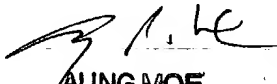
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J Henn whose telephone number is (703) 305-8327. The examiner can normally be reached on M-F 9:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJH
11/18/2004


AUNG MOE
PRIMARY EXAMINER